dze la[;k& 10 ¼d½

iathd`r la[;k&;w0,0@Mh0vks0&30@2018&2020

ljdkjh xtV] mRrjk[k.M mRrjk[k.M ljdkj }kjk izdkf'kr vlk/kkj.k

fo/kk;h ifjf"k'V
Hkkx&1] [k.M ¼d½
(उत्तराखण्ड अधिनियम)

nsgjknwu] "kqdzokj] 05 tuojh 2018 bZ0 ikS'k 15] 1939 "kd lEor~

mRrjk[k.M "kklu
fo/kk;h ,oa lalnh; dk;Z foHkkx
la[;k 20@fo/kk;h ,oa lalnh; dk;Z@2017 nsgjknwu] 05 tuojh] 2018

अधिसूचनk
fofo/k

Hkkjr dk lafo/kku ds vuqPNsn 200 ds v/khu jkT;iky egksn; us mRrjk[k.M fo/kku lHkk }kjk ikfjr mRrjk[k.M vk/kkj ¼foRrh; vkSj vU; lgkf;fd;ksa] izlqfo/kkvksa vkSj lsokvksa dk yf{kr ifjnku½ fo/ks;d] 2017 को दिनांक 03 जनवरी, 2018 को अनुमति प्रदान की और वह उत्तराखण्ड अधिनियम संख्या 04 सन 2018के रूप में सर्व-साधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाश्ि‍त किया जाता है।

mÙkjk[k.M vk/kkj ¼foÙkh; vkSj vU; lgkf;fd;ksa] izlqfo/kkvksa vkSj lsokvksa dk yf{kr ifjnku½

अधिनियम, 2017

(उत्तराखण्ड अधिनियम संख्या 04 वर्ष, 2018)

mÙkjk[k.M jkT; esa fuokl djus okys O;fDr;ksa dks fof'k"V igpku la[;k leuqnsf'kr djus rFkk lq'kklu ds :i esa n{k] ikjn'khZ vkSj lgkf;fd;ksa] izlqfo/kkvksa vkSj lsokvksa ds yf{kr ifjnku ds fy, jkT; dh lafpr fuf/k ls O;; mixr fd;s tkus dk mica/k djus rFkk mlls lEcfU/kr vkSj mlds vkuq"kafxd fo"k;ksa dk mica/k djus gsrq
अधिनियम

Hkkjr x.kjkT; ds vM+lBosa o"kZ esa mÙkjk[k.M fo/kku lHkk }kjk fuEufyf[kr :i esa ;g अधिनियमित किया जाता हैः-

laf{kIr uke] foLrkj vkSj izkjEHk	1-	(1) इस अधिनियम का संक्षिप्त नाम उत्तराखण्ड आधार (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं और सेवाओं का लक्षित परिदान) अधिनियम, 2017 है।¼2½ bldk foLrkj lEiw.kZ mÙkjk[k.M esa gksxkA (3) यह उस तारीख को प्रवृत्त होगा जो राज्य सरकार राजपत्र में अधिसूचना द्वारा नियत करे और इस अधिनियम के भिन्न-भिन्न उपबंधों के लिए भिन्न-भिन्न तारीखें नियत की जा सकेगी और ऐसे किसी उपबंध में इस अधिनियम के प्रारम्भ ds izfr fdlh funsZ'k dk vFkkZUo;u ml mica/k ds izfr funsZ'k ds :i esa yxk;k tk,xkA
ifjHkk"kk,a	2-	¼1½ इस अधिनियम में, जब तक कि सन्दर्भ से अन्यथा अपेक्षित न हो- (क) "आधार संख्या" से केन्द्रीय अधिनियम की धारा 3 के अधीन व्यक्ि‍त को जारीfd;k x;k igpku la[;kad vfHkizsr gS; ¼[k½ ^^jkT; ljdkj dk vfHkdj.k** ls mÙkjk[k.M jkT; esa fdlh dsUnzh; vFkok jkT; fof/k }kjk LFkkfir ;k xfBr dksbZ izkf/kdkjh ;k fudk; vfHkizsr gS] ftlesa LFkkuh; fudk; vkSj dksbZ vU; fudk; tks jkT; ljdkj ds LokfeRo ;k fu;a=.k esa gS] lfEefyr gS vkSj blesa ,sls fudk; ftudh lajpuk vkSj प्रशासन अध्यावधिक रूप से राज्य सरकार के नियंत्रण में हो; (ग) "अधिप्रमाणन" से ऐसी प्रक्रिया अभिप्रेत है जिसके द्वारा किसी व्यक्ि‍त कीtulkaf[;dh; lwpuk ;k ck;kseSfV~d lwpuk lfgr vk/kkj la[;k] dsUnzh; igpku vkadM+s fu{ksikxkj dks] mlds lR;kiu gsrq izLrqr dh tkrh gS vkSj ,slk fu{ksikxkj mlds ikl miyC/k tkudkjh ds vk/kkj ij mldh 'kq)rk ;k deh lR;kfir djrk gS;

		¼?k½ ^^izlqfo/kk** ls fdlh O;fDRk ;k O;fDr;ksa ds lewg dks iznÙk udn ;k oLrq ds :i esa dksbZ lgwfy;r] nku] buke] vuqrks"k ;k lank; vkSj blds vUrxZr ऐसी अन्य प्रसुविधाएं जो राज्य सरकार द्वारा समय-समय पर अधिसूचित कीtk,a] vfHkizsr gS; ¼³½ ^^ck;kseSfVªd lwpuk** ls QksVks] maxyh Nki] vkbfjl LdSu ;k fdlh O;fDr ds अन्य ऐसे जैविक प्रतीक अभिप्रेत है जो केन्द्रीय अधिनियम द्वारा विहित कियाtk; ; (च) "केन्द्रीय अधिनियम, से आधार (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं औरसेवाओं का लक्षित परिदान) अधिनियम, 2016 (केन्द्रीय अधिनियम संख्या 18 वर्ष2016½ vfHkizsr gS;

{उत्तराखण्ड आधार (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं और सेवाओं का लक्षित परिदान) अधिनियम, 2017}

		(छ) "केन्द्रीय पहचान आंकड़े निक्षेपागार" से एक या अधिक अवस्थानों में ऐसाdsUnzh;d`r vkadM+k vk/kkj] ftlesa vk/kkj la[;kad /kkjdksa dks rRleku tulkaf[;dh; lwpuk vkSj ck;kseSfVªd lwpuk rFkk mlls lEcfU/kr vU; lwpuk ds lkFk ,sls O;fDr dks tkjh fd, x, lHkh vk/kkj la[;kad varfoZ"V gS; vfHkizsr gS; ¼t½ ^^lesfdr fuf/k** ls mÙkjk[k.M dh lesfdr fuf/k vfHkizsr gS; ¼>½ ^^tulkaf[;dh;** ls fdlh O;fDr ds lECkU/k esa uke] tUe] rkjh[k] irk vkSj vU; tkudkjh] tks vk/kkj la[;k tkjh djus ds iz;kstu ds fy, dsUnzh; अधिनियम द्वारा विनिर्दिष्ट की जाएं, अभिप्रेत है;ijUrq blds vUrxZr ewyoa'k] /keZ] tkfr] tutkfr] tkfr;rk] Hkk"kk] gdnkjh] vk; ;k fpfdRlk bfrgkl ds vfHkys[k ugha gksaxs; (ञ) "नामांकन" से ऐसी प्रक्रिया अभिप्रेत है जो इस अधिनियम के अधीन ऐसेO;fDr;ksa dks vk/kkj la[;k,a tkjh djus ds iz;kstu ds fy, ukekadu djus okyh vfHkdj.kksa }kjk O;fDr;ksa ls tulakf[;dh; vkSj ck;kseSfVªd lwpuk एकत्रित करने के लिए केन्द्रीय अधिनियम द्वारा विनिर्दिष्ट की जाय ; ¼V½ ^^ljdkj** ;k ^^jkT; ljdkj** ls mÙkjk[k.M dh ljdkj vfHkizsr gS; (ठ) 'विहित' से इस अधिनियम के अधीन बनाये गये नियमों द्वारा विहित प्रक्रियाvfHkizsr gS; ¼M½ ^^lsok** ls fdlh O;fDr ;k O;fDr;ksa ds lewg dks fdlh Hkh :i esa iznÙk dksbZ O;oLFkk] lqfo/kk] mi;ksfxrk ;k dksbZ vU; lgk;rk vkSj blds vUrxZr ,slh अन्य सेवाएं, जो राज्य सरकार द्वारा अधिसूचित की जाय ;vfHkizsr gS; ¼<½ ^lgkf;dh* ls fdlh O;fDr ;k O;fDr;ksa ds lewg dks udn ;k oLrq esa fdlh Hkh :i esa lgk;rk] leFkZu] vuqnku] vkfFkZd lgk;rk ;k fofu;ksx vfHkizsr gS vkSj blds vUrxZr ,slh vU; lgkf;fd;ka gS tks jkT; ljdkj }kjk समय-समय पर अधिसूचित की जाय; (2) उन शब्दों और पदों के, जो इस अधिनियम मे प्रयुक्त हैं और इसमें परिभाषितनहीं किए गए हैं, के वही अर्थ होंगे जो केन्द्रीय अधिनियम में क्रमशः उनके लिएfn, x, gSaA
dfri; lgkf;fd;ksa] izlqfo/kkvksa vkSj lsokvksa bR;kfn dh izkfIr ds fy, vko';d vk/kkj la[;k dk izek.k	3-	;FkkfLFkfr] jkT; ljdkj ;k jkT; ljdkj dh dksbZ ,tsalh fdlh lgk;d lgkf;dh] izlqfo/kk ;k lsok ds fy, ftldk O;; lafpr fuf/k ls mixr fd;k tkrk gS ;k mlls izkfIr mldk Hkkx gksrh gS] dh 'krZ ds :i esa fdlh O;fDr dh igpku fl) djus ds iz;kstu ds fy, ;g vis{kk dj ldsxh fd ,sls O;fDr dk vfHkizek.ku djk;k tk, ;k vk/kkj la[;k /kkj.k djus dk lcwr fn;k tk, ;k ,sls O;fDr dh n'kk esa ftldks dksbZ vk/kkj la[;k leuqnsf'kr ugha dh xbZ gS ,slk O;fDr ukekadu ds fy, vkosnu djrk gS; ijUrq ;g fd fdlh O;fDr dks vk/kkj la[;k leuqnsf'kr ugha dh xbZ gS rks O;fDr dks lgkf;dh] izlqfo/kk ;k lsok ds ifjnku ds fy, oSdfYid vkSj O;ogk;Z igpku dk lk/ku izLFkkfir fd;k tk jgk gSA

jkT; ljdkj }kjk Ldheksa dks अधिसूचित djuk	4-	राज्य सरकार इस अधिनियम के प्रारम्भ होने की तारीख से तीन माह की अवधि के भीतरvkSj rnksijkUr lEk;≤ ij /kkjk 3 ds vuqlkj visf{kr ,slh izkf/kdkfjrk ;k iqf"V जिसके लिए स्कीमों, सहायिकी, लाभों या सेवाओं की सूची को अधिसूचित कर सकेगी,जिसके लिए आधार संख्या किसी व्यक्ित की पहचान का अधिकृत प्रमाण होगी।

{उत्तराखण्ड आधार (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं और सेवाओं का लक्षित परिदान) अधिनियम, 2017}

dsUnzh; अधिनियम ds v/;k; rhu vkSj N% dk ykxw gksuk	5-	केन्द्रीय अधिनियम के अध्याय तीन और छः के उपबंध यथावश्यक परिवर्तनों के साथ इसअधिनियम के अधीन प्राधिकारिता के लिए लागू होंगे।
इस अधिनियमds mica/kks dk vU; fof/k;ksa ds vfrfjDr gksuk	6-	इस अधिनियम के उपबंध, तत्समय प्रवृत किसी अन्य विधि के अतिरिक्त होंगे, न कि उसकेvYihdj.k esaA
ln~HkkoiwoZd dh xbZ dkjZokbZ ds fy, laj{k.k	7-	इस अधिनियम या उसके अधीन बनाए गये नियम के अधीन सदभावपूर्वक की गर्इ या कीtkus okyh vk'kf;r fdlh ckr ds fy, dksbZ Hkh okn] vfHk;kstu ;k vU; fof/kd कार्यवाही राज्य सरकार अथवा किसी अधिकारी या अन्य कर्मचारी के विरूद्ध नहीं होंगे।
नियम बनाने की'kfDr	8-	(1) राज्य सरकार इस अधिनियम के उपबंधों को कार्यान्िवत करने के लिए अधिसूचना द्वारा नियम बना सकेगी। ¼2½ fof'k"Vr;k vkSj iwoZxkeh 'kfDr;ksa dh O;kidrk ij izfrdwy izHkko Mkys fcuk] ,sls नियम निम्नलिखित सभी या किन्ही विषयों के लिए उपबन्िधत किये जा सकेंगे,vFkkZr& ¼d½ fofHkUu izlqfo/kk,a] lgk;fd;ka] lsok,a vkSj vU; iz;kstu ftuds fy, vk/kkj la[;k iz;qDr dh tk ldrh gS] iznku djus ;k izkIr djus ds iz;kstu ds fy, vk/kkj la[;kvksa ds mi;ksx dh jhfr; ¼[k½ dksbZ vU; fo"k; tks fofufnZ"V fd;k tkuk gS ;k fofufnZ"V fd;k tk, ;k जिसकी बावत नियमों द्वारा उपबन्ध किया जाना है या उपबन्ध किया जाए; (3) इस अधिनियम के अधीन बनाया गया प्रत्येक नियम, बनाए जाने के पश्चात् ;Fkk'kh?kz fo/kku lHkk ds le{k tc og l= esa gks] j[kk tk,xkA
dfBukbZ;ksa dks nwj djus dh 'kfDr	9-	(1) यदि इस अधिनियम के उपबंधों को प्रभावी करने में कोर्इ कठिनार्इ उपन्न होती हैrks jkT; ljdkj jkti= esa izdkf'kr vkns'k }kjk ,sls micU/k dj ldsxh tks bl अधिनियम के उपबन्धों से अंसगत न हों और जो उस कठिनार्इ को दूर करने केfy, vko';d izrhr gksa(परन्तु यह कि इस धारा के अधीन ऐसा कोर्इ आदेश, इस अधिनियम केizkjEHk ls nks o"kZ dh vof/k ds volku ds i'pkr~ ugha fd;k tk,xkA ¼2½ bl /kkjk ds v/khu fd;k x;k izR;sd vkns'k] blds cuk;s tkus ds i'pkr~ ;Fkk'kh?kz] fo/kkulHkk ds le{k j[kk tk,xkA

&&&

Uttarakhand Aadhar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2017

(Act No. 04 of 2018)

An

Act

to provide for, as a good governance, efficient, transparent and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred entirely from the Consolidated Fund of State, to individuals residing in the State of Uttarakhand Using Aadhar number as sole proof of establishing identity of an individual and for matters connected therewith or incidental thereto:-

(Be it enacted by the Uttarakhand Legislative Assembly in the Sixty-eighth Year of the Republic of India) as follows:-

Short title, extent and Commencement	1.	1.This Act may be called the UttarakhandAadhar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2017. 2.It extends to the whole of the State of Uttarakhand. 3.It shall come into force on such date, as the Government may, by notification inthe Official Gazetteappoint; and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.
Definitions	2.	*(1)* In this Act, unless the context requires otherwise,- *(a)* "Aadhar number" means an identification number issued to an individual under section 3 of the Central Act; *(b)* "Agency of the State Government" means any authority or body established or constituted by any Central or State law in the State of Uttarakhand including the local bodies, and any other body owned and controlled by the State Government and includes the bodies whose composition and administration are predominantly controlled by the State Government; *(c)* "authentication" means the process by which the Aadhar number along with demographic information or biometric information of an individual is submitted to the Central Identities Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it; *(d)* "benefit" means any advantage, gift, reward, relief or payment, in cash or kind, provided to an individual or group of individuals and includes such other benefits as may be notified by the State Government, from time to time; *(e)* "biometric information" means photograph, finger print, Iris scan, or such other biological attributes of an individual specified by the Central Act; *(f)* "Central Act" means the Aadhar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (central Act No. 18 of 2016);

		(g) "Central Identities Data Repository" means a centralized database in one or more locations containing all Aadhar numbers issued to Aadhar number holders along with the corresponding demographic information and biometric information of such individuals and other information related thereto; *(h)* "Consolidated Fund of State" means a Consolidated Fund of the State of Uttarakhand; *(i)* "demographic information" includes information relating to the name, date of birth, address and other relevant information of an individual as per the provisions of Central Act, but shall not include race, religion, caste, tribe, ethnicity, language, records of entitlement, income or medical history; *(j)* "enrolment" means the process to collect demographic and biometric information from individuals by the enrolling agencies for the purpose of issuing Aadhar number to individual as provided under the Central Act; *(k)* "Government" or "State Government" means the Government of Uttarakhand; *(k)* "prescribed" means prescribed by rules made under this Act; *(l)* "service" means any provision, facility, utility or any other assistance provided in any form to an individual or a group of individuals and includes such other services as may be notified by the State Government; *(m)* "subsidy" means any form of aid, support, grant, subvention or appropriation, in cash or kind, to an individual or a group of individuals and includes such other subsidies as may be notified by the State Government, from time to time. (2) Words and expressions used in this Act but not defined hereinabove shall have the same meanings as respectively assigned to them under the Central Act.
Proof of Aadhar number necessary for receipt of certain subsidies benefits and services	3.	The State Government or, as the case may be, any Agency of the State Government, may, for the purpose of establishing identity of an individual as a conditionfor receipt of a subsidy, benefit or service for which the expenditure is incurred entirely by way of withdrawal from, or the receipt therefrom forms part of the Consolidated Fund of the State, or any fund set up by any Agency of the State Government, require that such individual undergo authentication, or furnish proof of possession of Aadhar number or, in the case of an individual to whom no Aadhar number has been assigned, such individual makes an application for enrolment: Provided that, till such time an Aadhar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service.
Notifying Schemes by State Government	4.	The State Government shall, within a period of three months from the date of commencement of this Act, and thereafter, from time to time, notify the list of schemes, subsidies, benefit or services for which such authentication or proof is required as per section 3.

Application of Chapters III and VI of Central Act	5.	The provisions of Chapter III and Chapter VI of the Central Act shall *mutatis mutandis* apply to authentication under this Act.
Act to be in addition and not in derogation of any other law	6.	The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.
Protection of action taken in good faith	7.	No suit, prosecution or other legal proceeding shall lie against the State Government or any officer, or other employees of the State Government for anything which is in good faith done or intended to be done under this Act or rules made thereunder.
Power to make rules	8.	(1) The State Government may, by notification in the *Official Gazette,* make rules to carry out the provisions of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:- *(a)* specifying the manner of use of Aadhar number for the purposes of providing or availing of various subsidies, benefits, services and other purposes for which Aadhar number may be used; (b) any other matter which is required to be, or may be, specified, or in respect of which provision is to be made by rules. (3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before State Legislature, while it is in session.
Power to remove difficulty	9.	(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion arises, by an order published in the Official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty: Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act. (2) Every order made under sub-section (1) of this section shall be laid, as soon as may be, after it is made, before State Legislature.

&&&&&&&&&&&